Remarks

Claims 1-19 are pending in this application. In an Office Action mailed May 19, 2005, the Examiner rejected claims 1-4, 6-11, 13-17 and 19 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,661,804 to Dykema *et al.* (Dykema). The Examiner objected to claims 5, 12, and 18 as depending from a rejected base claim but as otherwise being allowable. Applicants respectfully disagree with the Examiner's rejections and request reconsideration in light of the following remarks.

Claim 1 provides a method of activating an appliance responding to a radio frequency activation signal based on one of a plurality of rolling code schemes. At at least one activation signal transmitted from an existing transmitter is received. The activation signal includes an existing transmitter identifier. The activation signal is examined to determine which rolling code scheme was used by the existing transmitter. A new transmitter identifier, different from the existing transmitter identifier, is determined based on the determined rolling code scheme. A new activation signal including the new transmitter identifier is transmitted based on the determined rolling code scheme.

The Examiner rejected claim 1 as anticipated by Dykema, providing as her only justification "col. 4:line 64 - col. 5: line 20." The cited passage is as follows:

> To achieve these and other advantages, and in accordance with the purpose of the invention as embodied and described herein, the trainable transceiver of the present invention includes a receiver for receiving an activation signal from a remote transmitter, a controller coupled to the receiver and operable in a learning and an operating mode. In the learning mode, the controller receives the activation signal, learns the transmitted RF frequency, and recognizes the presence of a variable code. It then identifies a prestored cryptographic algorithm based on the received code of the cryptographic algorithm used by the remote transmitter. The prestored algorithm corresponds to this transmitter's algorithm used to generate the variable code. The controller stores data identifying this cryptographic algorithm and the last transmitted code of the activation signal. In the operating mode, the controller generates an RF output signal modulated by data representing a next sequential code of the variable code using the identified cryptographic algorithm and the data representing the last transmitted code. The trainable transceiver further includes a signal generator coupled to the

> controller for receiving the output data from the controller and
> for transmitting a modulated RF signal, which corresponds in
> frequency to the received activation signal and includes a
> variable code recognizable by a receiver of the remote device for
> actuation thereof.

The passage cited by the Examiner is silent on whether the trainable transceiver determines a

new transmitter identifier, different from the existing transmitter identifier. However, other

passages in Dykema disclose that Dykema's trainable transceiver learns the transmitter

identifier of the existing transmitter and not a new transmitter identifier.

> If more than one transmitter may be used to actuate the garage
> door, microcontroller 57 will also include an ID tag in the
> generated code identifying the trainable transceiver as the
> transmitter from which the activation signal was learned.

Col. 15, ll. 17-21.

> If more than one transmitter is used to open the garage
> door, microcontroller 57 can identify the portion of the
> transmitted code including the transmitter ID tag by regenerating
> the received code using the cryptographic algorithm and
> comparing the regenerated code with the received code to
> determine the part of the code that represents a message header
> including the transmitter ID tag. The identified ID tag may then
> be stored along with any other data including in a fixed message
> header for subsequent re-transmission along with the variable
> code.

Col. 24, ll. 55-64.

Dykema discloses reusing the transmitter identifier from the existing transmitter.

This is not "determining a new transmitter identifier different from the existing transmitter

identifier based on the determined rolling code scheme" as provided in claim 1. Claim 1 is

patentable over Dykema. Claims 2-5, which depend from claim 1, are therefore also

patentable.

Independent claim 6 provides a system for operating an appliance which

responds to an activation signal transmitted from an existing radio frequency transmitter, the

system includes a receiver, a transmitter, and control logic. The control logic, operating in

a learn mode, determines and stores a new transmitter identifier different from any existing

transmitter identifier received in at least one rolling code activation signal transmitted by the

existing transmitter. In operate mode, the control logic generates a new activation signal different from any activation signal transmitted by the existing transmitter, the new activation signal including the new transmitter identifier.

The Examiner rejected claim 6 using the same argument used to reject claim 1. While claim 6 has a different scope than claim 1, the arguments provided above apply to claim 6 as well. Dykema does not disclose determining a new transmitter identifier different from any existing transmitter identifier received in at least one rolling code activation signal and using this new transmitter identifier in generating an activation signal. Claim 6 is patentable over Dykema. Claims 7-13, which depend from claim 6, are therefore also patentable.

Independent claim 14 provides a method of programming a programmable radio frequency appliance remote control. A signal is received from an existing radio frequency remote control, the signal based on one of a plurality of activation schemes. A determination is made as to whether or not the received signal was generated using one of a plurality of rolling code activation schemes. If so, an indication as to which rolling code scheme was used to generate the received signal is stored. A new transmitter identifier, different from an existing transmitter identifier associated with the existing transmitter, is determined and stored.

The Examiner rejected claim 14 using the same argument used to reject claim 1. While claim 14 has a different scope than claim 1, the arguments provided above apply to claim 14 as well. Dykema does not disclose determining and storing a new transmitter identifier different from the existing transmitter identifier. Claim 14 is patentable over Dykema. Claims 15-19, which depend from claim 14, are therefore also patentable.

Applicants believe that claims 1-19 are patentable over the cited prior art and respectfully request that this case be passed to issuance. A check is enclosed to cover the Petition fee of $450. Please charge any additional fees or credit any overpayments as a result of the filing of this paper to our Deposit Account No. 02-3978.
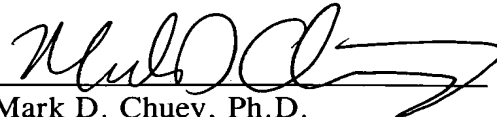
The Examiner is invited to contact the undersigned to discuss any aspect of this
case.

Respectfully submitted,

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By _____

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Date: October 17, 2005

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